

Appl. No. : 09/407,645
Filed : September 28, 1999

REMARKS

I. Applicant Construes the Mailing of This Office Action as a Grant of Applicant's Request to Withdraw Notice of Abandonment

On December 8, 2003, the Examiner mailed an Office action (Paper No. 15). On March 8, 2003, Applicant mailed a response to the Office action. On September 2, 2004, the Examiner mailed a Notice of Abandonment (Paper No. 16). In response, Applicant filed a Request to Withdraw Notice of Abandonment, mailed on September 30, 2004, including a copy of the response to Paper No. 15, which was originally mailed on March 8, 2003, as well as documents evidencing the transmittal of Applicant's response.

On October 7, 2004, the Examiner mailed another Office action (Paper No. 18). As of this date, Applicant has not received any correspondence from the Office regarding the status of the Request to Withdraw Notice of Abandonment.

Applicant hereby construes the mailing of the most recent Office action (Paper No. 18) as a grant of Applicant's Request to Withdraw Notice of Abandonment, which was mailed on September 30, 2004. If this conclusion is in error, please inform Applicant immediately, so that proper action can be taken.

II. Applicant's Currently Pending Claims are Allowable

Prior to this Amendment, Claims 1, 5-47, 56-59, and 63-69 were pending in this application. By this paper, Applicant has amended Claims 12, 14, 34, 43-45, 47, and 59, and has cancelled Claims 1, 5-11, 33, 35-42, 46, 48-58, 60-65, 67, and 69-71. Thus, Claims 12-32, 34, 43-45, 47, 59, 66, and 68 remain pending and submitted for examination.

In paragraph 6 of the Office action dated October 7, 2004 (Paper No. 18), the Examiner stated that Claims 15-32, 66, 68, and 69 are allowed. *O.A., at page 6*. As these Claims have not been amended by this paper, Applicant respectfully submits that they remain in condition for allowance.

In paragraph 7 of the Office action, the Examiner "objected to Claims 12-14, 34, 4[3]-45, 47, and 59 as being dependent upon a rejected base claim," and stated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. *O.A., at page 6*.

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Applicant has amended Claims 12 and 14 to include the limitations of independent Claim 1, from which they directly depended, with no intervening claims. Therefore, Applicant respectfully submits that Claims 12 and 14 are now in condition for allowance, and requests withdrawal of the objections. Because Claim 13 depends from Claim 12, which has been placed in condition for allowance, Applicant respectfully submits that Claim 13 is now in condition for allowance, and requests withdrawal of the objection.

Applicant has amended Claim 34 to include the limitations of independent Claim 33, from which it directly depended, with no intervening claims. Therefore, Applicant respectfully submits that Claim 34 is now in condition for allowance, and requests withdrawal of the objection. Applicants have amended Claims 43-45 and 47 to depend from amended Claim 34. Applicant respectfully submits that amended Claims 43-45 and 47 are now in condition for allowance, as they depend from Claim 34, which has been placed in condition for allowance. Therefore, applicant respectfully requests withdrawal of the objections.

Applicant has amended Claim 59 to include the limitations of independent Claim 56, from which it directly depended, with no intervening claims. Therefore, Applicant respectfully submits that Claim 59 is now in condition for allowance, and requests withdrawal of the objection.

III. Conclusion

Applicant has endeavored to address all of the Examiner's objections as set forth in the Office Action dated October 7, 2004. As no claims remain which are not allowed or allowable, Applicant respectfully requests that all currently pending claims be allowed. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully invited to call the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

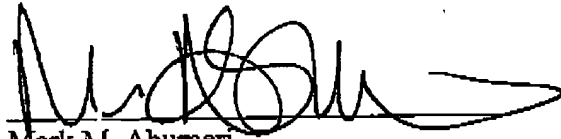
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Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: January 7, 2005

By:



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